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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOUGLAS DWAYNE GIRLEY,

Petitioner,

No. 2:12-cv-1938 KJN P

vs.

GARY SWARTHOUT,

Respondent.

ORDER TO SHOW CAUSE

_____ /

Petitioner is a state prisoner, proceeding without counsel, with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 19, 2012, respondent filed a motion to dismiss. Petitioner has not filed an opposition to the motion. Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion”

Good cause appearing, IT IS HEREBY ORDERED that petitioner show cause, within thirty days, why his failure to oppose respondent’s October 19, 2012 motion to dismiss should not be deemed a waiver of any opposition to the granting of the motion, and he shall file an opposition. Petitioner is cautioned that failure to respond to the instant order, or to file an

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1 opposition to the pending motion to dismiss, will result in a recommendation that this action be
2 dismissed.

3 DATED: November 26, 2012

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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